

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
Charlottesville Division**

In re:

JOHN CLARK SMITH,

Debtor.

Case No. 11-60835

Chapter 13

MOTION TO DISMISS CASE VOLUNTARILY
PURSUANT TO SECTION 1307(b)

Debtor John Clark Smith, by counsel, hereby moves, pursuant to 11 U.S.C. § 1307(b), that this Chapter 13 proceeding be dismissed without prejudice. This case has not been converted under Sections 706, 1112 or 1208 of the Bankruptcy Code.

CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this 11th day of May, 2011, a copy of the foregoing Motion to Dismiss Case Voluntarily Pursuant to Section 1307(b) was served through the CM/ECF system on the Chapter 13 Trustee.

Respectfully submitted

JOHN CLARK SMITH,

By counsel.

/s/ C. Lamar Garren
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